

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

HAMID ALI BUTT,	:	
Petitioner,	:	
vs.	:	CA 08-0672-CG-C
ERIC HOLDER, Attorney	:	
General of the United States, et al.,	:	
Respondents.	:	

SUPPLEMENTAL REPORT AND RECOMMENDATION

By report and recommendation entered on March 19, 2009, the undersigned recommended that this Court grant Butt's petition for writ of habeas corpus and order his immediate supervised release under conditions set forth by the ICE arm of the Department of Homeland Security. (Doc. 10) The respondents have now amended their response with a Release Notification, dated April 9, 2009, which indicates that petitioner will be released sometime in the foreseeable future under an Order of Supervision and Addendum to the Order of Supervision. (Doc. 11, Attachment) This release notification also reads as follows: "Prior to your release from custody, an immigration officer may verify the sponsorship or employment offers presented during your

review.” (*Id.*) While the respondents have taken the position that Butt has been placed on supervised release and is no longer in ICE custody, thereby mooted his petition (Doc. 11, at 1), it is clear to the undersigned that petitioner has actually not been released from ICE custody to date. Accordingly, the recommendation entered by the undersigned on March 19, 2009 remains in effect.

DONE this the 10th day of April, 2009.

s/WILLIAM E. CASSADY
UNITED STATES MAGISTRATE JUDGE